

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KEN PAXTON, ET AL.,

Plaintiffs,

v.

No. 4:22-cv-143-P

GARY M. RESTAINO, ET AL.,

Defendants.

ORDER

Before the Court is Defendants' Motion to Dismiss for Failure to State a Claim ("Motion"). ECF No. 26. Having reviewed the Motion and the applicable law, the Court finds the arguments contained therein are more appropriately raised at the summary judgment stage of proceedings. Accordingly, the Court concludes that the Motion (ECF No. 26) should be and is **DENIED**.

SO ORDERED on this **3rd day of October 2022**.



MARK T. PITTMAN

UNITED STATES DISTRICT JUDGE